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August 5, 2024

VIA CERTIFIED U.S. MAIL

Division of Consumer Protection
 1302 E Hwy 14
 Suite 3
 Pierre, SD 57501-8501

Re: Notice of Class Action Settlement Pursuant to 28 U.S.C § 1715
In re College Athlete NIL Litigation, Case No. 4:20-cv-03919-CW
Hubbard v. Nat'l Collegiate Athletic Assoc. et al., Case No. 4:23-cv-01593-CW
Carter v. Nat'l Collegiate Athletic Assoc. et al., Case No. 3:23-cv-06325-RS

Dear Attorney General:

Pursuant to the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. § 1715, we write on behalf of Defendants National Collegiate Athletic Association (“NCAA”), Pac-12 Conference (“Pac-12”), The Big Ten Conference, Inc. (“Big Ten”), The Big 12 Conference, Inc. (“Big 12”), Southeastern Conference (“SEC”), and the Atlantic Coast Conference (“ACC”) (collectively, “Defendants”) to provide the following notification of the proposed settlements in *In re College Athlete NIL Litigation*, Case No. 4:20-cv-03919-CW (N.D. Cal.) (“*House*”), *Hubbard v. Nat'l Collegiate Athletic Assoc. et al.*, Case No. 4:23-cv-01593-CW (N.D. Cal.) (“*Hubbard*”), and *Carter v. Nat'l Collegiate Athletic Assoc. et al.*, Case No. 3:23-cv-06325-RS (“*Carter*,” and collectively with *House* and *Hubbard*, the “Federal Actions”).

Enclosed is a CD containing the following information in a PDF format:

1. **28 U.S.C. § 1715(b)(1) – Complaints:**

- The Class Action Complaint (ECF No. 1), Consolidated Amended Complaint (ECF No. 164), and Second Consolidated Amended Class Action Complaint (ECF No. 448-1), filed as Exhibit 1 to the Stipulation with Proposed Order Regarding Filing of Second Consolidated Amended Class Action Complaint (ECF No. 448), filed in *House*.
- The Complaint (ECF No. 1) filed in *Hubbard*.

- The Complaint (ECF No. 1) filed in *Carter*.

2. **28 U.S.C. § 1715(b)(2) – Notice of any Scheduled Judicial Hearings:** Plaintiffs in *House* and *Hubbard* noticed a settlement hearing for September 5, 2024. (*House* ECF No. 450; *Hubbard* ECF No. 227). On July 30, 2024, those plaintiffs filed an Unopposed Administrative Motion to Shorten Time Pursuant to Civil Local Rule 6-3 For the Hearing Of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement (*House* ECF No. 451; *Hubbard* ECF No. 228), requesting to advance the noticed hearing date from September 5, 2024 to August 12, 13, 14 or August 19, 20, 21, or 22, 2024.

3. **28 U.S.C. § 1715 (b)(3) and (b)(4) – Proposed Notification to Class Members and Class Action Settlement Agreements:**

- The *House* Plaintiffs' Unopposed Motion for Preliminary Settlement Approval (ECF No. 450), submitted to the District Court on July 26, 2024, as well as the Stipulation of Settlement (Exhibit 1 to the Declaration of Steve W. Berman (ECF No. 450-2), ECF No. 450-3), with the following exhibits:
 - [Proposed] Order (ECF No. 450-1);
 - Declaration of Daniel A. Rascher (ECF No. 450-4); and
 - Declaration of Carla A. Peak Regarding Settlement Notice Program (ECF No. 450-5).
- The *Hubbard* Plaintiffs' Notice of Motion and Unopposed Motion for Preliminary Approval of Class Action Settlement (ECF No. 227), submitted to the District Court on July 26, 2024, as well as the Stipulation of Settlement (Exhibit 1 to the Declaration of Jeffrey L. Kessler (ECF No. 227-2), ECF No. 227-3), with the following exhibits:
 - [Proposed] Order (ECF No. 227-1);
 - Exhibit 2 to the Declaration of Jeffrey L. Kessler (ECF No. 227-4);
 - Declaration of Daniel A. Rascher (ECF No. 227-5); and
 - Declaration of Carla A. Peak Regarding Settlement Notice Program (ECF No. 227-6).

4. **28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreements:** None.

5. **28 U.S.C. § 1715(b)(6) – Final Judgment:** None.

6. **28 U.S.C. § 1715(b)(7) – Estimate of Class Members:** The names and residences of all of the class members will not be known until after notice of the settlement is given and potential class members submit a Proof of Claim and Release. Accordingly, it is not feasible at this time to provide a list of class members by state of residence, a reasonable estimate of the number of class members residing in each state, or a reasonable estimate of the proportionate share of claims of class members residing in each state to the entire settlement. We respectfully refer any further inquiries regarding the potential class members to Verita Global, LLC (the

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“Settlement Administrator”), which is working to collect information regarding potential class members in order to provide such members with notice of the Stipulation of Settlement.

7. **28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** The Court granted the *House* Plaintiffs’ Unopposed Motion for Certification of Injunctive Relief Class on September 22, 2023 (*House* ECF No. 323), granted the *House* Plaintiffs’ Motion for Certification of Damages Classes on November 3, 2023 (*House* ECF No. 387), and issued an Order Granting the *House* Plaintiffs’ Motion to Approve Manner and Form of Class Notice (as Modified) on March 1, 2024 (*House* ECF No. 406).

The foregoing information is provided based on the information currently available to Defendants and is based on the status of the proceedings at the time of the submission of this notification. Should you have any questions, please do not hesitate to contact us.

Respectfully submitted,

s/ Christopher S. Yates

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